

Notice of Allowability

Application No.

10/774,046

Examiner

Khanh Tran

Applicant(s)

BILGIC ET AL.

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 06/20/2007.
2. ☒ The allowed claim(s) is/are 26, 28-35 and 37-41, which have been renumbered as claims 1-14 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

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1. The Amendment filed on 06/20/2007 has been entered. Claims 26, 28-35 and 37-41 are pending in this Office action.

2. Claims 26, 28-35 and 37-41 have been renumbered as claims 1-14 respectively.

Response to Arguments

3. Applicant's arguments, see Applicants' Remarks, filed 06/20/2007, with respect to claims 26, 28-31, 35 and 39-40 have been fully considered and are persuasive. The rejection of claims 26, 28-31, 35 and 39-40 has been withdrawn.

4. Objection to the Drawings has been withdrawn after Applicants correct all informalities.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

5. Regarding claim 26, claim is allowable over prior art of record because the cited references taken individually or in combination cannot teach or suggest "wherein the data transmission path profile is determined by counting the number of occurrences of detected peaks in the plurality of transmission path positions over a predetermined

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period, by comparing the number of occurrences counted to a predetermined threshold number of occurrences, by setting to zero each of the plurality of data transmission paths that do not exceed the predetermined threshold, and by determining the data transmission path profile based upon the plurality of data transmission paths that are not set to zero".

6. Regarding claim 33, claim is allowed over prior art of record because the cited reference taken individually or in combination cannot teach or suggest a combination of "a peak value detection device, operably coupled to the power delay profile determination unit and operable to detect peaks above a first threshold in a generated power delay profile" and "a data path determination unit operably coupled to the peak value detection unit and operable to generate a data transmission path profile as a function of peaks detected by the peak value detection device that are above a second threshold".

7. Regarding claim 35, claim is allowed over prior art of record because the cited reference taken individually or in combination cannot teach or suggest "wherein the data transmission path profile is determined by storing over a predetermined period of time detected peaks for a plurality of transmission path delays, by counting the number of stored detected peaks, by comparing the number of counted stored peaks to a predetermined threshold number, and by determining the data transmission path profile

based upon the each of the plurality of transmission path delays that have a number of stored detected peaks that exceed the predetermined threshold number".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shuwang Liu can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KCT



KHANH C. TRAN
PRIMARY EXAMINER

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